IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

-

WRIT PETITION NO: 12731 of 2005

Between:

Datla Venkatapathi Raju,

S/o.Venkatapathi Raju, aged 74 years,

Occ: Agriculture, R/o.Rajavommangi (V & M),

East Godavary District.

..... PETITIONER

AND

1. The Government of A.P.,

Rep. By its Secretary, Social Welfare Department,

Secretariat at Hyderabad.

2. The Additional agent to the Government,

East Godavari District at Rampachodavaram.

3. The Special Deputy Collector (T.W),

Rampachodavaram, East Godavary District.

4. The Mandal Revenue Officer,

Rajavommangi (V & M),

East Godavari District.

5. K.Venkateswara Rao, S/o.Rajulamma,

R/o.Rajavommangi (V & M),

East Godavari District.

6. K.Chitti Babu, S/o. Rajulamma,

R/o. Rajavommangi (V & M),

East Godavary District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents 2 to 4 in propose to distribute the lands of the petitioner to an extent of Ac.4.86 cents situated in Sy.Nos.244/2, 244/4, 244/9, 244/25 and 244/8 of Rajavommangi village and Mandal, East Godavary District inspite of pendency of revision before the 1st respondent as illegal, arbitrary and unjust and consequently direct the respondents 2 to 4 not to assign or distribute the land in question to any 3rd parties pending revision and to pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner: MR.K.VENKATESH

Counsel for Respondent Nos.1 to 4: GP FOR SOCIAL WELFARE

Counsel for Respondent Nos.5 & 6: None appeared.

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the respondents in taking possession of the land, pending disposal of the revision filed by the petitioner before the first respondent against the order of the second respondent

2. It is stated that the third respondent initiated proceedings under the A.P. Scheduled Areas Land Transfer Regulations, and after conducting enquiry, an order of eviction was passed against the petitioner in respect of the land of an

extent of Ac.04-86 cents situated in Sy.No.244/2, 244/4, 244/9, 244/25 and 244/8 of Rajavommangi village and Mandal, East Godavari District. Aggrieved by that, an appeal was filed, which was confirmed, and further revision was filed before the first respondent. However, it is stated that during the pendency of the revision, the petitioner was dispossessed from the land and it is proposed to distribute to third parties. Pending disposal of the revision, if third parties interest is involved, the petitioner would suffer serious loss, and sought for a direction not to distribute the land pending disposal of the revision.

3. Heard the learned counsel for the petitioner and the learned Government Pleader.

4. As the claim of the petitioner is still pending before the Revisional authority, the respondent-authorities are directed not to distribute the land pending disposal of the revision before the first respondent. The first respondent is also directed to dispose of the revision expeditiously, preferably, within a period of three months.

5. Accordingly, the writ petition is disposed of. No order as to costs.

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S.ANANDA REDDY, J

16th June, 2005

Note

Furnish C.C. within two days.

B/o.

SKM
To

1. The Secretary, Government of A.P.,

Social Welfare Department,

Secretariat at Hyderabad.

2. The Additional agent to the Government,

East Godavari District at Rampachodavaram.

3. The Special Deputy Collector (T.W),

Rampachodavaram, East Godavary District.

4. The Mandal Revenue Officer,

Rajavommangi (V & M),

East Godavari District.

5 Two CCs to the G.P. for Social Welfare,

High Court Buildings, High Court of A.P.,

Hyderabad.(O.U.T)

6 Two CD copies